

Regular meeting of the City Council: Austin, Texas, November 22nd 1917:

The Council was called to order by the Mayor: Roll called :

Present Mayor Wooldridge, Councilmen Anthony, Bartholomew, Haynes & Powell 5

Absent none:

The minutes of the last regular and subsequent recessed meetings were read and adopted:

By Mayor Wooldridge, ~~XXXXXX~~ An ordinance prohibiting the standing of vehicles at certain places on Congress Avenue and west 6th street at certain times.

The ordinance was read the first time, and a motion made to suspend the rule and place it on its second reading, which motion prevailed by the following vote:

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholomew, Haynes & Powell 5

Nays none:

The ordinance was read the second time, and a motion made to further suspend the rule and place it on its third reading and final passage, which motion prevailed by the following vote:

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholomew, Haynes & Powell 5

Nays none.

The ordinance was read the third time and passed by the following vote:

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholomew, Haynes & Powell 5

Nays none:

Councilman Anthony moved that one-half of the fine and costs assessed against B Gathright, in the Recorders Court be remitted, which motion prevailed by the following vote:

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholomew, Haynes & Powell 5

Nays none:

Councilman Powell offered the following resolution :

A resolution rescinding a resolution formerly passed by the City Council of the City of Austin on March 30th 1916, insofar as same appertains to the paving of a portion of West 19th street particularly described in said resolution.

Whereas, by resolution duly passed by the City Council of Austin on March 30th 1916, ordering the paving of West 19th street from the west line of Rio Grande street south from 19th street to the West line of Rio Grande street north from 19th street with Bitulithic Pavement upon a five (5) inch gravel foundation with concrete gutters along the curb eighteen inches wide, concrete curbs along the curb lines and necessary excavation, the cost of such paving to be paid for in the following manner, to-wit:

(a) If any street railway company or steam railway company shall occupy the said portion of said street above described with its tracks, such company shall pay to the contractor the whole cost of making such improvements between and under its rails and tracks and twelve inches on the outside thereof;

(b) The City should pay to the contractor the whole cost of paving any street inter-sections, and also twenty per cent of the ^{balance} cost of said improvement, excluding such portion as was paid for by such railway company and excluding the cost of curbing such street; and

(c) The remainder of such cost, after deducting the amounts payable as above specified, should be paid by the owners of property abutting on said street in accordance with the front foot plan or rule; and

Whereas, the following portion of the above described street was not paved, guttered and curbed in accordance with the terms of said resolution, to-wit:

The south half of the street from the south line of Rio Grande street (south from 19th street) to a point 106 feet (106) west of the property line of said Rio Grande street;

Ordinance prohibiting the standing of vehicles on Congress Ave. & 6th St.

B. Gathright fine

Rescinding Resolution: W 19th St.

Whereas, it is now the purpose of the City Council of Austin to pave all of the unpaved portion of West 19th street between the West line of Rio Grand street and the West line of West Avenue with Bitulithic Pavement of a different grade and standard than that specified in the above referred to resolution of date March 30th 1916, the grade and character of the pavement so to be used being particularly described in a resolution appertaining thereto, duly passed by the City Council of the City of Austin on this date.

Be it resolved by the City Council of the City of Austin:

That said resolution of date March 30th 1916, above referred to, in so far as it appertains to the paving, curbing and guttering of said portion of West 19th street which has not up to this time been paved and which is particularly described hereinabove be, and the same is hereby ressinded.

The resolution was adopted by the following vote:

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholomew, Haynes & Powell
Nays none,

Approved, P Wooldridge, Mayor .

The Mayor laid before the Council the following resolution:

A resolution declaring the hearing of property owners before the City Council as to paving that portion of west 5th street between Colorado street and Lavacca street in the City of Austin closed.

Be it resolved by the City Council of the City of Austin:

Whereas, heretofore a resolution was duly adopted by the City Council whereby it decided to improve west 5th street between the west property line of Colorado street and the east property line of Lavacca street by grading, filling, paving and guttering same; and

Whereas, specifications were prepared for the said work by the City Engineer, and examined and adopted by the City Council, and bids were advertised for the performance of said work, upon various materials, plans and specifications by said Engineer; and

Whereas, said bids were duly opened by the City Council, and after comparing and examining the same, it determined to improve the said street by grading, and filling the same and by paving the same with Bitulithic pavement upon a gravel concrete foundation with concrete gutters along curb lines; and thereupon the City Council passed a resolution ordering the making of the said improvements, and adopted specifications for the same as prepared by the City Engineer, and accepted the bid of the Texas Bitulithic Company, a corporation, for the performance of said work, and approved the contract for the same between the City and said Company, and approved the bond of the said Company for the construction and maintenance of said work, and directed the Mayor of the City to execute said contract upon the taking effect of said resolution for and in the name of the City and the said Clerk to attest the same with the seal of the City; and

Whereas, after said resolution so ordering said pavement had been on file for the number of days required by the Charter, it was finally passed; and

Whereas, thereupon the said contract was executed by the City and the contractor and its sureties; and

*Hearing ordered:
W. 5th st. paving*

Whereas, hereafter, as required by ordinance of the City of Austin, the City Engineer filed with the Council a statement in writing containing the names of the persons, estates or corporations owning property on said street designated to be improved with the description of their said property and estimate of the total cost of the improvement of said street, and the cost thereof to property owners per front foot of their abutting property; and

Whereas, the said statement was examined and approved by the City Council of the City of Austin, and in accordance with said ordinance it thereupon passed a resolution ordering a hearing to be given before the Council on the 15th day of November 1917, at the Council chamber at the City Hall at ten O'clock A M, to owners of property abutting on said street, and further directing the Supt of Streets and Public Improvements to give notice to said owners of such hearing in the manner prescribed by the ordinance of said City; and

Whereas, the supt of Streets and Public Improvements did give notice of such hearing to said owners, their agents and Attorneys by publication of said resolution twice in Austin Statesman, a newspaper of general circulation in the City of Austin, the first of which publications was made more than five days prior to the day of hearing; and

Whereas, said notices in all things complied with the ordinance of said City and the resolution directing the same; and

Whereas, on the day and at the time mentioned in said notices, the City Council did give a hearing to said property owners, their agents and attorneys, at which hearing the said property owners were given full opportunity to be heard as to any protest or objection to the assessment of their said property, and as the special benefits of the said improvements to their property, and as to any error or invalidity in the proceedings with reference to such improvements, or any matter or thing connected therewith; and

Whereas, all of such owners as desired to appear before said City Council, either in person or by their agents or attorneys, were given opportunity to do so and were fully and fairly heard;

Be it resolved by the City Council of the City of Austin:

That the hearing to said property, their agents and attorneys, of property abutting upon the portion of the street hereinabove described to be and the same is hereby declared to be finally closed.

The resolution was adopted by the following vote:

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholemew, Haynes & Powell 5

Nays none.

Approved, A P Wooldridge, Mayor.

Councilman Powell offered the following resolution:

Resolution approving City Engineers report concerning improvements upon West 19th street, in this City, from the west line of Rio Grande street (south), to the west line of West Avenue, and directing a hearing to property owners concerning the assessment for a part of the cost of such improvements against them and their property, fixing a time for said hearing and directing that a notice be given to said property owners concerning the said ~~XXXXXXXXXX~~ hearing.

Whereas, the City Council of the City of Austin, Texas, has heretofore determined to improve West 19th street, from the West line of Rio Grande street (south) to the West line of West Avenue, in the City of Austin, Texas, by paving the same with light standard Bitulithic pavement upon gravel concrete foundation with concrete gutters along curb lines and necessary excavation, and has adopted specifications for said work and has

Approving City Engineer's Report

.... entered into a contract for the same with the Texas Bitulithid Company, a corporation ; and

Whereas, the City Engineer of the City of Austin, Texas, has this day filed his report in writing with the City Council, showing the total cost of the said improvements upon the said street, the amount per front foot of abutting property to be paid by the owners thereof and also the names of persons, estates or corporations owning property abutting on said improvements, with a description of their property and a statement of the total amount payable by each of said owners for said improvements; and

Whereas, the City Council has examined the said report and finds the same correct; and

Whereas, the necessity exists that a portion of the cost of said improvements should be assessed against the said property owners and their property, subject to the terms of the Charter of the City and the ordinances in such cases made and provided, and after the notice and hearing provided by said Charter and ordinance; Now Therefore,

Be it resolved by the City Council of the City of Austin, Texas:

1. That the said report of the City Engineer, be and the same is hereby approved and adopted.

2. That a portion of the cost of making the said improvements shall be assessed against said owners of property abutting on West 19th street, in this City, from the West line of Rio Grande street (south), to the West line of West Avenue in the City of Austin, Texas, and against said property; that the said assessment shall be made at the rate of \$3.5777 per front foot of such property in accordance with the front foot rule or plan, in proportion as the frontage of each owner in each block of said street is to the whole frontage in that block to be improved, provided that if said rule of apportionment shall appear to the City Council to be unjust or unequal in any particular case, or to result in an assessment in excess of the benefits received through said improvements by any owner or his property, the City Council shall adopt such rule of apportionment as shall effect substantial equality and justice between said property owners, considering benefits received by and burdens imposed upon said owners, and that in no case shall any assessment be made in excess of the actual benefits received by the owners of said property through the enhanced value thereof by means of said improvement.

3. That a hearing shall be given before the City Council to said property owners on the 6th day of December, A D 1917, at ten o'clock A M, at the Mayors Office in the City Hall, in the City of Austin, Texas, at which hearing said property owners, their agents or attorneys shall be fully and fairly heard as to all matters concerning the said improvements or any irregularity or invalidity in the proceedings with reference thereto, or as to the benefits thereof, if any, to their property, and as to the assessment proposed to be made against them and their property, and as to any other matter or thing connected therewith. At which hearing the said owners shall have the right to produce witnesses and testimony, and which hearing shall

.be adjourned from time to time and from day to day until all are fully heard and all matters in connection with the said improvements and assessment fully ascertained; that after the said hearing shall be closed, said City Council will proceed to assess against owners of property upon said street and their property, who shall agree with said Council upon the said assessments, such sums as may be agreed upon and determined as provided by the Charter of the City and the said ordinance; and that as to any property owner who may not so agree, the City Council will, after said hearing, appoint a commission to determine said assessment, and will take such further steps in ascertainment thereof as are provided by the Charter and ordinances.

4. That the supt of streets and Public Improvements of said City of Austin, is hereby directed to give notice hereof to the said property owners, their agents and attorneys by publication of a copy of this resolution not less than twice in the Austin Statesman, a daily paper of general circulation in the City of Austin, the first publication to be not less than five days prior to the date of hearing.

5. That this resolution shall take effect from and after its passage.

The resolution was adopted by the following vote:

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholomew, Haynes & Powell 5

Nays none,

Approved, P Wooldridge, Mayor.

Mayor Wooldridge offered the following resolution :

Resolved by the City Council of the City of Austin, Texas:

That the sum of three hundred (\$ 300.00) dollars, be and the same is hereby appropriated out of the general contingent fund of the City of Austin, Texas, in payment of a debt due by the City of Austin to Chas. Corner for automobile and other personal expenses used in the care of the County and City pes- camp at Fort Prairie during six months in 1916 & 1917, as per attached sworn account.

The resolution was adopted by the following vote:

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholomew, Haynes & Powell 5

Nays none,

Approved, A P Wooldridge, Mayor.

November 20th 1917:

Councilman Anthony offered the following resolution :

Resolved by the City Council of the City of Austin, Texas:

That for good and sufficient causes unto the City Council shown, the fine and costs, amounting to \$ 14.80, imposed against Earl H Doolin in cause No 12570, State of Texas vs Earl H Doolin, for trespassing, be and the same are hereby remitted.

The resolution was adopted by the following vote:

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholomew & Powell 4

absent Councilman Haynes 1

Approved, P Wooldridge, Mayor.

November 21st 1917:

Mayor Wooldridge offered the following resolution;

Resolved by the City Council of the City of Austin, Texas:

That the sum of three hundred seventy five dollars and ninety one cents (\$375.91) be and the same is hereby appropriated out of the Sanitary Sewer Earnings fund of the City of Austin, Texas, and made payable to Jno H Gregory, Engineer of New York City, for special services rendered to the City of Austin in advising upon its sewer disposal Plant

Chas. Corner:
Appo. for expenses
Per Camp

Earl H Doolin

Jno H Gregory

as per the attached bill which goes along with and is the basis of this ~~XXXXXX~~ appropriation.

The resolution was adopted by the following vote:

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholomew, Haynes and Powell

Nays none,

Approved, A P Wooldridge, Mayor.

November 24th 1917:

Councilman Anthony offered the following resolution :

Resolved by the City Council of the City of Austin, Texas:

That for good and sufficient reasons for the City Council moving, the balance of the fine and costs, amounting to \$ 15.80, now outstanding against Barney Blount in cause NO 12562, in the Corporation Court of the City of Austin, Texas, State of Texas vs Barney Blount for loitering around a game of dice, be and the same is hereby remitted

The resolution was adopted by the following vote :

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholomew, Haynes & Powell

Nays none,

Approved, A P Wooldridge, Mayor.

Councilman Anthony offered the following resolution :

Resolved by the City Council of the City of Austin, Texas:

That for good and sufficient causes unto the City Council moving, especially a doubt of the guilt of the defendant, and the further fact that the minister of the church affected joins in the petition to remit this fine, the balance of the fine and costs, amounting to \$ 32.30, in cause No 12530, State of Texas vs Orbie Wheeler in the Corporation Court of the City of Austin, Texas, for disturbing religious worship, be and the same is hereby remitted, and

Be it further resolved by the City Council of the City of Austin:

That it appearing to the City Council that the defendant has paid into the Treasury of the City of Austin, Texas, for account of fine and costs owing in this case the sum of \$ 7.50, said \$ 7.50 is hereby appropriated out of the general contingent fund of the City of Austin, Texas, to reimburse said defendant for the amount so paid in.

The resolution was adopted by the following vote:

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholomew, Haynes and Powell : Nays none,

Approved, A P Wooldridge, Mayor.

November 27th 1917:

Mayor Wooldridge offered the following resolution :

Whereas, the City of Austin has heretofore instituted suit in the District Court of Travis County, Texas, against Lion Bonding Company for taxes due said City by said company for the year 1915, which cause is numbered 34770 on the docket of said Court; and

Whereas, said lion Bonding company has tendered to the City the sum of \$889.20, and has paid all costs of Court accruing in said cause, said

*Barney Blount
fine*

*Orbie Wheeler
fine*

*Lion Bonding Co.
tax*

settlement of costs and said tender to be in full settlement of said cause a; and Whereas, it is deemed advisable by the City Council that said offer of settlement be accepted; therefore,

Be it resolved by the City Council of the City of Austin:

That the City tax assessor & Collector be and he is hereby authorized and instructed to receive from said Lion Bonding Company the sum of \$ 889.20, in full payment and satisfaction of all taxes , interest and penalty due the City of Austin by said company for the year 1915, and that this action of the Council shall be his authority to receive proper credit for said taxes; be it further resolved, that the City Attorney be and he is hereby authorized and instructed to dismiss from the docket of the Dist Court said cause against said company .

The resolution was adopted by the following vote:

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholomew & Haynes 4

Absent Councilman Powell 1

Approved, P Wooldridge, Mayor.

Mayor Wooldridge offered the following resolution:

Be it resolved by the City Council of the City of Austin:

That J W Maxwell, Esq, is hereby allowed a fee of \$ 133.38, for services in effecting an adjustment and settlement of cause NO 34770, entitled City of Austin vs Lion Bonding Company in the Dist Court of Travis County, Texas, said cause being a suit for City taxes for the year 1915 against said Company ; and said sum of \$ 133.38, is hereby appropriated out of the general contingent fund of the City of Austin for the purpose of paying said Maxwell said fee, and the City Clerk is instructed to issue the warrant of the City for said amount, payable to said Maxwell.

*J.W. Maxwell
fee*

The resolution was adopted by the following vote:

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholomew & Haynes 4

Absent Councilman Powell 1

Approved, A P Wooldridge, Mayor.

Mayor Wooldridge offered the following resolution :

Be it resolved by the City Council of the City of Austin :

That permission is hereby granted the Southwester Telegraph and Telephone Company to place sixteen new poles on the north side of west 2nd street from the alley west of Congress. avenue to Shoal creek and to remove thirteen poles now standing on said street between said points, and also to place seven new poles across the property of the City of Austin west of Shoal creek to the I & G N Railroad Company's river bridge and to remove one pole from said property, which permission is hereby given subject to the terms . limitations and conditions contained in the franchise of said company and the police powers of the City of Austin reserved therein .

*Dist. Tel. & Tel. Co.
permission*

Be it further resolved, that permission is also given said company to place five new poles on the east side of the alley west of Congress Avenue from second street to 4th street and to remove three poles now in said alley; provided, that said company shall remove all poles in said alley between said points upon the completion of its Office Building and exchange at the corner of Congress Avenue and tenth street in said City.

The resolution was adopted by the following vote:

Yeas Mayor Wooldridge, Councilmen Anthony, Bartholomew & Haynes 4

Absent Councilman Powell 1

Approved, A P Wooldridge, Mayor.

*Ordinance
Standard Gauge
Track (H. P.C.)
in 4th*

. By Mayor Woolridge, An Ordinance authorizing the Houston and Texas Central Railroad Company to lay a standard gauge track in 4th street, and extending across Waller street in an easterly direction, connecting the present track in 4th street known as the Gas plant house track with the spur or switch track known as the Oil tank spur track.

The ordinance was read the first time and a motion made to suspend the rule and place it on its second reading, which motion prevailed by the following vote:

Yeas Mayor Woolridge, Councilmen Anthony, Bartholomew, Haynes & Powell
Nays none:

The ordinance was then read the second time, and a motion made to suspend the rule and place it on its third reading and final passage, which motion prevailed by the following vote:

Yeas Mayor Woolridge, Councilmen Anthony, Bartholomew, Haynes & Powell 5
Nays none:

The ordinance was then read the third time and passed by the following vote:

Yeas Mayor Woolridge, Councilmen Anthony, Bartholomew, Haynes & Powell
Nays none:

Councilman Anthony nominated J H Stelfox to be Special Policeman, which nomination was confirmed by the following vote :

Yeas Mayor Woolridge, Councilmen Bartholomew & Haynes 3
Not voting Councilman Anthony 1
Absent Councilman Powell 1.

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

[Signature]
City Clerk

, , November 22nd 1917:

~~XXX~~
~~XXXX~~

19th St paving

Councilman Powell offered the following resolution :

Resolution ordering the improvement of a certain part of 19th street, in the City of Austin, and approving specifications, proposal, contract and bond therefor:

The resolution was read the first time and laid over for one week.
The Council then adjourned.

[Signature]
City Clerk